

REMARKS

Reconsideration is respectfully requested for the rejection of claim 25 under 35 USC §112, second paragraph. The limitation "said end portion" finds antecedent basis in what is now line 10 of claim 1, from which claim 25 depends.

The claims have been amended so as to sharpen their definition of the invention relative to the cited references.

Reconsideration is accordingly respectfully requested, for the rejection of the claims as anticipated by or unpatentable over NISHIMURA, alone or in view of GAULD et al., or further in view of SCHMITT et al. or KIM or further in view of IKEDA et al., or as unpatentable over NISHIMURA in view of GAULD et al. and further in view of WADA et al. or further in view of SCHMITT et al., or as unpatentable over NISHIMURA in view of KIM or further in view of GAULD et al. or further in view of IKEDA et al., or as unpatentable over NISHIMURA in view of SCHMITT et al.

The rejections all fall down on NISHIMURA. Therefore, the secondary references need not be considered.

NISHIMURA discloses a device whose construction and operation are well shown in Figure 3. From Figure 3, it will be evident that NISHIMURA discloses a device having two intersecting pivotal axes, as does the present invention.

But in NISHIMURA, one axis, which is the horizontal axis shown in Figure 3, is fixed relative to the lower housing 2, but the axis 7 about which the upper housing 51 swings, pivots

about that first axis in a plane perpendicular to lower housing 2.

In sharp contrast thereto, in the present invention, as seen by comparison of Figures 1 and 2, the intersecting axes about which the upper housing swings relative to the lower housing, are both fixed relative to the lower housing.

This produces an entirely different result and an entirely different range of movement in the present invention, as compared to NISHIMURA. Thus, the upper housing can swing about one fixed axis between open and closed positions in a plane perpendicular to the lower housing, which is a plane perpendicular to the drawings of Figures 1 and 2, between the positions of Figures 1A and 1B.

Alternatively, the upper housing can pivot about the other hinge axis, from the position of Figure 1A to the position of Figure 2A and finally to the position of Figure 2B, which is to say in the plane of the drawings containing Figures 1 and 2. This latter movement is of course impossible to NISHIMURA.

Also, as indicated above, no secondary reference could be used to make an obvious transition from the NISHIMURA construction to that of the present invention as now set forth in the amended basic claims.

It follows, therefore, that our amended basic claims define unobvious subject matter relative to NISHIMURA, no matter

how modified by the secondary references, and hence are all patentable, and with them the claims that depend therefrom.

As the claims now in the case clearly bring out these distinctions with ample particularity, it is believed that they are all patentable, and reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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